

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

United States of America,) CRIMINAL NO. 4:99-558-CMC
)
)
 v.) **OPINION and ORDER**
)
)
Terry Lee Green,)
)
 Defendant.)
)
_____)

This matter is before the court on Defendant's *pro se* motion for reconsideration. ECF No. 86. Defendant argues that his previously-filed motion for relief under 28 U.S.C. § 2255 is not a second or successive motion for relief under 28 U.S.C. § 2255 because (he contends) *United States v. Simmons*, 649 F.3d 237 (4th Cir. 2011), is a "new fact" under § 2255(f)(4).

This argument is without merit. Defendant's motion is **denied**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON McGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
September 17, 2012